

Form 213

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Howard J. Beale  
Debtor(s)

Bankruptcy Case No.: 17-11326-TPA  
Related to Docket No. 44  
Chapter: 13  
Docket No.: 45 - 44  
Concil. Conf.: 9/13/22 at 11:00 AM

**ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **July 25, 2022**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

**OR**

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **August 15, 2022**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.


On **9/13/22 at 11:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at remotely by the Trustee via Zoom, how to participate: goto [www.ch13pitt.com](http://www.ch13pitt.com), [meetings@chapter13trusteedpa.com](mailto:meetings@chapter13trusteedpa.com).

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: June 10, 2022

cm: All Creditors and Parties In Interest

  
Thomas P. Agresti, Judge  
United States Bankruptcy Court

**INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee  
P.O. Box 84051  
Chicago, IL 60689-4002

In re:  
Howard J. Beale  
Debtor

Case No. 17-11326-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1  
Date Rcvd: Jun 10, 2022

User: auto  
Form ID: 213

Page 1 of 2  
Total Noticed: 14

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ++     | Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).   |
| ^      | Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.   |

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 12, 2022:

| Recip ID | Recipient Name and Address   |
|----------|--|
| db       | + Howard J. Beale, 882 Hull Road, Waterford, PA 16441-9021   |
| 14746525 | + KML Law Group, PC, Attorney Rebecca A. Solarz, Esq., 701 Market St - Suite 5000, Philadelphia, PA 19106-1541 |
| 14776194 | UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123  |
| 14776341 | UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123   |

TOTAL: 4

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address                                      | Date/Time            | Recipient Name and Address   |
|----------|---|----------------------|--|
| cr       | + Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM                 | Jun 10 2022 23:32:00 | AmeriCredit Financial Services, Inc., dba GM Finan, 4000 Embarcadero Dr., Arlington, TX 76014-4101   |
| cr       | Email/PDF: resurgentbknotifications@resurgent.com               | Jun 10 2022 23:37:15 | Pinnacle Credit Services, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587   |
| 14759827 | Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM                   | Jun 10 2022 23:32:00 | Americredit Financial Services, Inc., dba GM Financial, PO Box 183853, Arlington, TX 76096   |
| 14746523 | + Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM                 | Jun 10 2022 23:32:00 | AmeriCredit/GM Financial, Po Box 183853, Arlington, TX 76096-3853  |
| 14746524 | + Email/Text: bncnotifications@pheaa.org                        | Jun 10 2022 23:32:00 | Cornerstone/AES, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461  |
| 14746521 | + Email/Text: sbse.cio.bnc.mail@irs.gov                         | Jun 10 2022 23:32:00 | Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346   |
| 14747342 | + Email/PDF: rmscedi@recoverycorp.com                           | Jun 10 2022 23:37:20 | PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  |
| 14746522 | + Email/Text: RVSVCBICNOTICE1@state.pa.us                       | Jun 10 2022 23:32:00 | Pennsylvania Department of Revenue, Department 280946, Harrisburg, PA 17128-0001   |
| 14780485 | Email/PDF: resurgentbknotifications@resurgent.com               | Jun 10 2022 23:37:20 | Pinnacle Credit Services, LLC its successors and, assigns as assignee of Cellco, Partnership d/b/a Verizon Wireless, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587 |
| 14746526 | + Email/Text: BKSPSElectronicCourtNotifications@spservicing.com | Jun 10 2022 23:32:00 | Select Portfolio Servicing, Inc, Po Box 65250, Salt Lake City, UT 84165-0250   |
| 14776194 | ^ MEBN  | Jun 10 2022 23:27:39 | UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123  |
| 14776341 | ^ MEBN  | Jun 10 2022 23:27:33 | UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123   |

TOTAL: 12

District/off: 0315-1

User: auto

Page 2 of 2

Date Rcvd: Jun 10, 2022

Form ID: 213

Total Noticed: 14

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address  |
|----------|---------------|---|
| cr       |               | Deutsche Bank National Trust Company, as Trustee,   |
| cr       | *+            | PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021   |
| 14791272 | *P++          | AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853, address filed with court:, Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096 |
| 14779193 | *             | Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250   |

TOTAL: 1 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

**NOTICE CERTIFICATION**

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 12, 2022

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 10, 2022 at the address(es) listed below:

| Name                                | Email Address  |
|-------------------------------------|--|
| Brian Nicholas                      | on behalf of Creditor Deutsche Bank National Trust Company as Trustee, in trust for registered Holders of Long Beach Mortgage Loan Trust 2006-1, Asset-Backed Certificates, Series 2006-1 bnicholas@kmlawgroup.com |
| Jeffrey G. Herman                   | on behalf of Debtor Howard J. Beale JeffreyHerman@Live.com<br>sebaldermancalendar@gmail.com;attorneyjeffreyherman@gmail.com;r59802@notify.bestcase.com   |
| Jeffrey G. Herman                   | on behalf of Plaintiff Howard J. Beale JeffreyHerman@Live.com<br>sebaldermancalendar@gmail.com;attorneyjeffreyherman@gmail.com;r59802@notify.bestcase.com  |
| Office of the United States Trustee | ustpreion03.pi.ecf@usdoj.gov   |
| Ronda J. Winnecour                  | cmecf@chapter13trusteedpa.com  |
| William E. Craig                    | on behalf of Defendant GM Financial ecmail@mortoncraig.com mhazlett@mortoncraig.com;mortoncraigecef@gmail.com  |
| William E. Craig                    | on behalf of Creditor AmeriCredit Financial Services Inc., dba GM Financial ecmail@mortoncraig.com,<br>mhazlett@mortoncraig.com;mortoncraigecef@gmail.com  |

TOTAL: 7